

9 September 1966

MEMORANDUM FOR THE RECORD

SUBJECT: General: NPIC Photographic Laboratory Branch  
Specific: Investigation at NPIC on Payment of Night Differential

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1. I interviewed [redacted] Publications Services Division, NPIC, on 22 August 1966. This was a lead-in interview to my inquiries in the Photo Lab and followed an interview with [redacted]

[redacted] volunteered the comment that it looked as if they were "in trouble" on payment of night differential and that he was reviewing the division's policies.

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2. I devoted the entire day of 3 September to a review of night differential policies and practices in Publications Services Division, with particular reference to the Photo Lab Branch. I interviewed [redacted] who is [redacted] secretary and is the keeper of time and attendance records for the division. I also interviewed [redacted] who is [redacted] and is the officer who gives [redacted] her instructions on maintaining the T&A's. I also reviewed the time and attendance records for all employees of the Photo Lab Branch covering the period 2 January through 27 August 1966. Night differential policies, as stated by [redacted] and as confirmed by [redacted] are listed below. My comments on the applications of the policies are based on my review of the time and attendance records.

Policy: Only employees regularly assigned to the night shift are paid night differential.

Comment: This statement is supported by the time and attendance records. I find no case in which a day-shift employee was paid night differential, regardless of the hours he worked.

Policy: Night differential is paid only for the "regular" work nights, Monday through Friday.

Comment: This statement is supported by the time and attendance records. There are instances in which the night shift worked on Saturday or Sunday nights, or both, but they received no night differential. In each instance, the employee had already put in his basic workweek of 40 hours and

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the weekend work was on overtime. Under the provisions of [redacted], night differential could not be paid in conjunction with overtime because the overtime was not being worked on "another regularly scheduled shift."

Policy: Six hours of night differential is paid to night-shift employees regardless of whether the shift starts at 1600 or 2000 hours.

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Comment: This statement is supported by the time and attendance records. The resignees [redacted] complained that they had received only four hours of night differential when they worked the 12-hour shift beginning at 2000 hours. They are wrong. When they worked a 12-hour shift beginning at 2000 hours, and when the shift fell during the regular Monday-through-Friday workweek, they received six hours of night differential (2000 to 0200 hours). Further comment: NPIG's policy on this point is contrary to Agency regulations. When the night shift works from 2000 to 0800 hours during the regular Monday-through-Friday workweek, employees should receive eight hours of night differential (from 2000 until 0400 hours). Since they are on overtime hours from 0400 until 0800, they cannot, by Agency regulation, also be paid night differential.

Policy: No night differential is paid while in leave status, regardless of duration.

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Comment: NPIG's policy on this point is contrary to Agency regulations. [redacted] specifies that "Night differential is payable . . . for periods of leave with pay of less than eight hours during any biweekly pay period. It is not payable for any period of leave if the aggregate of paid leave during the same biweekly pay period is eight hours or more . . . . " Thus, if the employee takes less than eight hours of leave during the pay period, he should be paid night differential for the hours he is on leave. On the other hand, if he takes eight or more hours of leave during the pay period, he receives no night differential for any of the hours he is on leave.

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Further comment: [redacted] does not consistently adhere to the stated policy. I find only five instances of a night shift employee taking less than eight hours of leave during a given pay period. In three instances night differential was not paid for the hours in leave status; in two instances it was paid.

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[redacted] took four hours of sick leave on 20 May. He took no other leave during the pay period. He did not receive night differential pay for the four hours in leave status.

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[redacted] took five hours of sick leave on 20 June and was charged with no other leave during the pay period. He did not receive night differential pay for the five hours in leave status.

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[redacted] took three hours of annual leave on 3 June and was charged with no other leave during the pay period. He did not receive night differential pay for the three hours in leave status.

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[redacted] took a total of seven hours of annual leave during the pay period 2-15 January, five of which were during the night differential hours. He received night differential pay for the hours in leave status.

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[redacted] took two hours of annual leave on 20 April. He received night differential pay for the hours in leave status. It should be noted that the hours of leave did not fall during the hours when night differential is paid; however, [redacted] makes no distinction between leave taken during night differential and non-night differential hours.

Policy: Day-shift personnel working regularly scheduled overtime hours into the night shift hours do not receive night differential pay.

Comment: This statement is supported by the time and attendance records. However, the policy is contrary to Agency regulations. In recent weeks, certain day-shift employees have been designated in advance to work four hours of overtime into the night shift for one week at a time. Two hours of this overtime falls within the night differential hours, and they should receive night differential pay in conjunction with overtime pay.

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... 3. I also interviewed [redacted]  
[redacted] to see if NPIC had any internal regulations on night differential. He informed me that it had none. NPIC follows [redacted] as NPIC understands it and as NPIC thinks it is interpreted by the Agency. Specifically: An employee who works overtime into another shift is paid night differential only if he is replacing and working the shift of another employee. He said that he had recently had a discussion with [redacted]

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Payroll Branch, on the subject of night differential and was quite sure that NPIC's policies were in accord with those followed elsewhere in the Agency.

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4. It is evident from the above that NPIC's policies on payment of night differential, at least as observed with respect to the Photo Lab Branch, are not wholly in accordance with policies established in Agency regulation [redacted]. It is also evident that payment for night differential while in leave status is not consistently made in accordance with established policies in Publications Services Division. The money involved does not amount to much. For example, [redacted] who lost three hours of night differential pay for three hours of annual leave taken on 3 June was out probably no more than \$1.35. However, the sum involved is of less importance than is the principle of the thing. Failure to pay night differential due is merely one of dozens of irritants in the Photo Lab, but it is one that can be readily eliminated.

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